

**CITY OF CENTRAL
CITY COUNCIL MEETING
November 5, 2013**

CALL TO ORDER

A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 7:06 p.m., in City Hall on November 5, 2013.

ROLL CALL

Present: Mayor Engels
Alderman Voorhies
Alderman Gaines
Alderman Heider
Alderman Spain

Absent: None

Staff Present: Manager Lanning
City Clerk Bechtel
Attorney McAskin
Finance Director Flowers
Planner/HPO Fejeran
Fire Chief Allen
Utilities Superintendent Griffith
Streets/Facilities Superintendent Braccio

ADDITIONS AND/OR AMENDMENTS TO THE AGENDA

The agenda was approved as presented.

CONFLICTS OF INTEREST

No Council Member disclosed a conflict regarding any item on the agenda.

CONSENT AGENDA

Alderman Spain moved to approve the consent agenda containing the regular bill lists for October 17, 23 and 31, 2013; and the City Council minutes for the regular meeting on October 15, 2013. Alderman Gaines seconded, and without discussion, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION

Joe Behm, CCBID, had two requests regarding the budget ordinance: to add designated funds for the engineering and design for covered parking; and due to the reduction in devices which will mean less revenue for marketing and events the CCBID is asking for an increase from \$50,000 to \$75,000 for 2014.

Joe Tinucci, 215 W 1st High, asked for clarification on the budget line items showing an increase in both General Property Taxes and Device Fees. Finance Director Flowers explained that this is not an increase, only a change in allocation in line items. These taxes and fees were previously reflected in the Debt Service Fund and have now been moved to the General Fund.

Ann Dodson, GF Gaming, stated that since we have revenue from a retired bond, the businesses would like to see Council allocate this revenue to additional parking as everyone has agreed that we need more parking and will improve business.

SECOND READING AND PUBLIC HEARING

Ordinance No. 13-15: *An ordinance of the City Council of the City of Central, Colorado repealing Article XIII of Chapter 16 of the Municipal Code concerning Flood damage prevention regulations.*

Attorney McAskin explained that staff is presenting for review and recommendation to the City Council an ordinance (Ordinance 13-15) repealing Article XIII of Chapter 16 of the Municipal Code and adopting a new Article VI of Chapter 18 of the Code concerning Flood Damage Prevention Regulations. The new Article would update the Code to be consistent with National Flood Insurance Program (NFIP) requirements and Colorado Water Conservation Board (CWCB) Rules for Regulatory Floodplains in Colorado, a copy of which was previously distributed to City Council and is on file with the City Clerk for review. The proposed regulations were reviewed with City Council at the July 2, 2013 work session and this Ordinance was passed on first reading on October 15, 2013.

The CWCB adopted the updated Rules effective January 14, 2011. A three-year transition period to January 14, 2014 was provided for all local communities participating in the NFIP to adopt or amend their floodplain regulations to be consistent with the updated Rules and NFIP requirements. The City's participation in the NFIP enables residents to purchase federally-backed flood insurance and makes properties eligible for federal disaster assistance caused by flooding. If the City does not adopt updated regulations by the January 14, 2014 deadline, it is possible the City would be suspended from the NFIP and/or a surcharge placed on flood insurance policies for residents. The City received a notice regarding the January 14, 2014 deadline on September 25, 2012.

The main changes in the regulations (to be incorporated in the new Article VI of Chapter 18) include the following:

- New definitions are added and others updated to be consistent with current NFIP terminology and the CWCB Rules.
- Notice and record keeping requirements are added for variances or appeals.
- Floodplain development requirements were updated so that lowest floor elevation of a commercial buildings and residential structures is at least one-foot (1') above the base flood elevation, rather than to the level of the base flood elevation.
- Regulations for Critical Facilities are adopted by reference to Rule 6 of the CWCB Rules. Critical Facilities include essential services facilities (e.g. police and fire facilities); hazardous material facilities; at-risk population facilities (e.g. schools and hospitals); and vital government service facilities (e.g. courts and public works). In general, Critical Facilities are required to be located out of the floodplain.

As previously noted at first reading, staff had referred this Ordinance to the state for review and they have come back with a couple of minor comments and changes as follows: Sec. 18-6-60 with the insertion of the date of the study for Gilpin County and Central City of February 16, 1994; and Sec. 18-6-160 to remove subsection (e) as it is redundant with (i).

Mayor Engels opened the public hearing at 7:21 p.m. and invited comment. Hearing no comment, Mayor Engels closed the public hearing at 7:22 p.m.

Alderman Heider moved to adopt Ordinance No. 13-15: An ordinance of the City Council of the

City of Central, Colorado repealing Article XIII of Chapter 16 of the Municipal Code concerning Flood damage prevention regulations as revised. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

ACTION ITEMS: NEW BUSINESS

Appointment of Alternate for Historic Preservation Commission

Mayor Engels stated that we have three very qualified applicants for this seat and welcomed comments from the Council. Alderman Heider suggested that the appointment go to Barbara Thielemann due to her involvement in the community. Alderman Gaines agreed that these are all good choices and noted the Lisa Leben has good background in government. Alderman Voorhies stated her preference is for Barbara Thielemann due to her participation in many organizations.

Mayor Engels appointed Barbara Thielemann to serve as the Alternate for the Historic Preservation Commission and thanked the other applicants for their willingness to serve.

Ratification of District Board Member Appointment to CCBID

Alderman Voorhies moved to ratify the Board of Directors of the Central City Business Improvement District appointment of Ann Dodson to serve as Director of the District. Alderman Gaines seconded, and without discussion, the motion carried unanimously.

Ordinance No. 13-16: *An ordinance of the City Council of the City of Central adopting and appropriating the 2014 Budget, adopting the Capital Improvement Plan, and setting a Property Tax Mill Levy.*

Finance Director Flowers explained that over the past few months, City Council and staff have developed the 2014 Budget. As required by State law and the City Charter, staff formally presented the budget at the October 15, 2013 meeting. Ordinance 13-16 officially adopts the 2014 budget and appropriates funding for the expenditures from the funds indicated. Ordinance 13-16 also adopts the Capital Improvement Plan and sets the City's property tax mill levy at 9.631 mills. The expenditure amounts are as follows:

• General Fund	\$ 4,469,610
• Historical Preservation	\$ 433,794
• Public Property Trust	\$ 103,628
• Water	\$ 785,658
Total Appropriations	\$ 4,9,14,899

While the 2014 Budget is being presented as a final version, changes to the Budget can be made up until it is adopted upon second reading at the November 19th Council meeting.

In accordance with Article X, Section 10.6 of the City Charter, a Public Hearing must be held on the 2014 Budget prior to adoption. The City will be meeting both the City Charter and statutory requirements by holding a Public Hearing and adopting the 2014 Budget by December 15, 2013.

Alderman Gaines moved to adopt Ordinance No. 13-16: An ordinance of the City Council of the City of Central adopting and appropriating the 2014 Budget, adopting the Capital Improvement Plan, and setting a Property Tax Mill Levy and set the Public Hearing for November 19, 2013 at 7:00 p.m. Alderman Voorhies seconded. In discussion, Alderman Spain stated that the gaming

community should get a definitive answer on the proposed parking garage. When Mayor Engels called the question, the motion carried unanimously.

Resolution No.13-23: *A resolution of the City Council of the City of Central, Colorado concurring with a Memorandum of Agreement by and between the Colorado Department of Public Health and Environment and the Colorado Historic Preservation Officer, related to the Quartz Hill Remediation Project, and authorizing the City's Historic Preservation Officer to execute the same on behalf of the City.*

Planner/HPO Fejeran explained that Central City is working with the CDPHE on the Quartz Hill Waste Pile remediation located within the City's boundaries and they have asked the City Historic Preservation Officer to assist in monitoring a contributing historic structure, the load out chute (5GL7.8), which is listed on the National Register of Historic Places.

The waste pile, placed during the 1930s and 1940s from milling operations associated with Chain O mines, includes an historic structure, the load out chute, which is registered with the National Register of Historic Places. CDHPE has consulted with the City's HPO regarding the effects of the undertaking on historic properties and features within the project boundaries, inviting the City's HPO to participate in monitoring.

Manager Lanning stated that CDPHE is currently in the process of reviewing the contractor documents so we can expect this project to be moving forward soon.

Alderman Spain moved to approve Resolution No.13-23: A resolution of the City Council of the City of Central, Colorado concurring with a Memorandum of Agreement by and between the Colorado Department of Public Health and Environment and the Colorado Historic Preservation Officer, related to the Quartz Hill Remediation Project, and authorizing the City's Historic Preservation Officer to execute the same on behalf of the City. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

STAFF REPORTS

Manager Lanning had nothing to report and invited questions.

Alderman Voorhies noted that Planner Fejeran stated in his staff report that he is working on the website and access channel which she feels are a high priority. Planner Fejeran stated that he is working to increase our bandwidth which will improve clarity on the access channel and hopes to have that change by the end of the year.

Alderman Gaines thanked the Public Works crew for the nice looking holiday decorations and for filling the potholes that appeared recently on Gregory. She also asked about the excessive alarm call outs to one location. Fire Chief Allen stated that is an alarm that is old and needs to be replaced and is hopeful that property owner will take care of that.

Alderman Heider asked for clarification on the access road to the new AT&T tower location. Planner Fejeran explained that this was determined to be better than attaining an easement for access from a private property owner.

Alderman Spain stated that it was nice to see the newsletter in the mail.

COUNCIL COMMENTS

Alderman Gaines encouraged everyone to check out the new Gilpin Market which has been impacted by the construction on Lawrence. She stated that the Gilpin Arts new show at the Visitor Center is very good. Also, the closest 1-70 AGS County Meeting will be held on November 18th from 5:30-7:00 p.m. at Idaho Springs City Hall.

Alderman Voorhies stated that she is still hearing that we don't give people what they want and the town is dying. Also, she is sure that the potholes that have appeared on Gregory are from trucks that are hauling to one project which has not been held accountable.

PUBLIC FORUM/AUDIENCE PARTICIPATION

No one requested time to address the Council.

At 7:47 p.m., Alderman Voorhies moved to adjourn into Executive Session as follows:

EXECUTIVE SESSION – Pursuant to C.R.S. 24-6-402(4)(f)(I) to discuss a personnel matter; and pursuant to C.R.S. 24-6-402(4)(e) to instruct negotiators regarding new development within the City of Central. Alderman Gaines seconded, and without discussion, the motion carried unanimously.

The next Council meeting is scheduled for November 19, 2013 at 7:00 p.m.

Ronald E. Engels, Mayor

Reba Bechtel, City Clerk